

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
JAIME TORRES and RAKESH KALRA, *individually* :
and on behalf of all others, :

Plaintiffs, :

-v- :

CITY OF NEW YORK, *acting through the New York* :
City Police Department and New York City Department :
of Finance et al., :

Defendants. :

20 Civ. 10210 (JPC)

ORDER

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JOHN P. CRONAN, United States District Judge:

Defendants have moved to dismiss Plaintiffs’ First Amended Complaint. *See* Dkt. 36. In their First Amended Complaint, Plaintiffs claim that Defendants deprived them of their constitutional right to be free from unreasonable seizures. Dkt. 35 ¶ 109(a). Plaintiffs clarified that they do not claim that the allegedly duplicative tickets they received count as an unreasonable seizure. *See* Dkt. 39 (“Opposition”) at 28. “Instead, Plaintiffs have described a putative class comprising individuals who are slated to have property seized by Defendants and/or have already been deprived of property to satisfy illegal duplicative parking tickets.” *Id.* These unnamed people, in other words, allegedly have suffered or will suffer unconstitutional seizures, including garnishing wages, liens on real property, and restraining bank accounts, for failing to pay their allegedly duplicative parking tickets.

By January 21, 2022, the parties shall each file letters, not to exceed five pages, outlining whether Plaintiffs have standing to bring this claim. The letters should detail how Plaintiffs were concretely harmed as alleged in this claim given that Plaintiffs have both paid their two parking tickets and never had the government seize property for failing to pay the parking tickets. *See*

Spokeo, Inc. v. Robins, 136 S. Ct. 1540, 1547 n.6 (2016), *as revised* (May 24, 2016) (“[E]ven named plaintiffs who represent a class must allege and show that they personally have been injured, not that injury has been suffered by other, unidentified members of the class to which they belong.” (quotations omitted)); *TransUnion LLC v. Ramirez*, 141 S. Ct. 2190, 2203 (2021) (To have standing to bring a claim, “a plaintiff must show (i) that *he* suffered an injury in fact that is concrete, particularized, and actual or imminent; (ii) that the injury was likely caused by the defendant; and (iii) that the injury would likely be redressed by judicial relief.” (emphasis added)).

SO ORDERED.

Dated: January 14, 2022
New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan", written over a horizontal line.

JOHN P. CRONAN
United States District Judge